

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for theFILED
SCRANTON

MAY 12 2021

Mohammad Sohail Saleem

Petitioner

v.

Harry Laurel, Superintendent,
S. C. I., Camp Hill, et.al.,*Respondent**(name of warden or authorized person having custody of petitioner)*

PER

DEPUTY CLERK

Case No. _____

(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Mohammad Sohail Saleem
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: S.C.I., Camp Hill
(b) Address: S.C.I., Camp Hill - Box 200
CAMP HILL, PA 17001
(c) Your identification number: MA 9795
3. Are you currently being held on orders by:
☐ Federal authorities ☒ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☐ Being held on an immigration charge
☒ Other (explain): Application for voluntary departure was granted on May 18, 2015,
A Writ of Habeas Corpus Ad Prosequendum (request for temporary borrowing) was
filed by District Attorney's Office, Commonwealth never return Mr. Saleem to
Federal Authorities (ICE) for the purpose of deportation.

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Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings
- ☒ Other (explain): Jurisdiction was taken over by filing a false Writ,

Commonwealth's ability to circumvent an established Prisoner Exchange SystemKidnapping Mr. Saleem, from the ICE, on a false Writ and don't return as promised

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Court of Common Pleas, Lebanon County(b) Docket number, case number, or opinion number: 0565-2014

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Writ of Habeas Corpus Ad Prosequendum, filed on June 10, 2015This Writ was filed based upon false information, that there is scheduled Court appearance on June 16, 2015. Facts are there was no hearing scheduled.(d) Date of the decision or action: June 10, 2015

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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(b) If you answered "No," explain why you did not appeal: _____

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. Third appeal

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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(b) If you answered "No," explain why you did not file a third appeal:

10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes☐ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes

☒ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____
- _____
- _____
- _____
- _____

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____

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- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____
- _____
- _____
- _____
- _____
- _____

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: The Commonwealth (in the form of The District Attorney's Office,
Judge and/or any official, who may have been involved, representative of the
Commonwealth), undermined the Prisoner Exchange System, by filing a false Writ
of Habeas Corpus Ad Prosequendum (written request for temporary custody), for

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(a) Supporting facts (Be brief. Do not cite cases or law.):

~~Court of Common Pleas, Lebanon County, claims Mr. Saleem or loaned from the Federal Authorities (ICE), based upon a ghost Court appearance for the June 16, 2015. Mr. Saleem was already done with Lebanon County, and there was no pending hearing. Mr. Saleem believes that Commonwealth kidnap Mr. Saleem by filing this false information. And commit fraud to bring him back to Lebanon County.~~

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes☒ No

GROUND TWO: ~~Commonwealth of Pennsylvania, took a temporary custody on a written request or by filing a Writ of Habeas Corpus Ad Prosequendum.~~

~~Primary Jurisdiction still remains with the Federal Authorities, or ICE. Since ICE never relinquish custody of Mr. Saleem to the Lebanon County.~~

(a) Supporting facts (Be brief. Do not cite cases or law.):

~~Court of Common Pleas, Lebanon County, or Commonwealth had a duty to return Mr. Saleem after the alleged hearing. The agreement pursuant to Ad Prosequendum compells Commonwealth to return Mr. Saleem to the ICE.~~

~~Further, Commonwealth never acknowledge or admit to the wrong doings and deprive Mr. Saleem of any meaningful remedy. Thus, Commonwealth has violated his constitutional and due process rights. Kidnapping Mr. Saleem and then keeping him in illegal custody further triggered Mr. Saleem's liberty intrrests.~~

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes☒ No

GROUND THREE:

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes☐ No

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GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: Petitioner, Mohammad Sohail Saleen, Pro-Se,
prays this Honorable Court for immediate release from illegal custody, or
whatever this Court seems Fair and Just.

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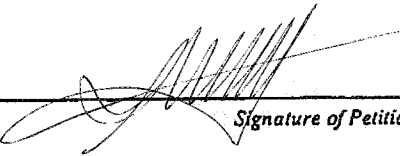
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

May 07, 2021

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 05-07-2021



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Mohammed Sobah Salem, MA-9795
S-C. I, Camp Hill, Box-200
Camp Hill, PA 17001

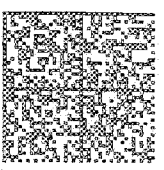
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